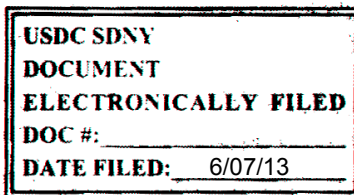


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JOSEPH SCIALABBA,

Plaintiff,

-against-

XEROX CORPORATION, *et al.*,

Defendants.
-----X

12 Civ. 01687 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

A discovery conference having been held before the Court on June 6, 2013, it is hereby ORDERED that:

- 1) Plaintiff's request for sanctions against Defendant Xerox Corp. for failure to produce emails is denied.
- 2) Xerox shall produce, when its current search for documents is completed, an affidavit (a) explaining what was done to find relevant emails, (b) attesting that the search was thorough and complete and (c) stating that any relevant emails that were found were produced. The affidavit shall be submitted to the Court no later than **June 14, 2013**.
- 3) If Xerox produces additional emails that require additional and non-duplicative questioning, Plaintiff may submit a letter to the Court within 3 days of receipt of the relevant email asking the Court to reopen or continue the depositions of Mr. Castellane and/or Mr. Schwartz for purposes of questioning about the email.
- 4) Plaintiff's request for an order compelling Defendants to provide further discovery relating to individuals who utilized their corporate Amex card for personal uses and were not terminated is denied.

SO ORDERED.

Dated: June 7, 2013
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE